

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

1-800-RADIATOR OF WISCONSIN, LLC,

Plaintiff,

v.

Case No. 08-C-362

1-800-RADIATOR FRANCHISE, INC., et al,

Defendants.

ORDER

On November 25, 2008, defendants filed a motion seeking dissolution of the preliminary injunction entered on October 30, 2008.¹ During a hearing to determine what security plaintiff would be required to give under Fed. R. Civ. P. 65(c), I indicated that should plaintiff conduct its business in an unsatisfactory manner, defendants could request relief. Defendants now contend plaintiff 1-800-Radiator of Wisconsin, LLC, failed to increase its inventory as it indicated it would at the bond hearing.

An evidentiary hearing was conducted on December 5, 2008. Based upon the evidence presented at the hearing, I concluded that the situation between the parties had not changed to a degree warranting dissolution of the preliminary injunction. The defendants' motion is therefore denied. The facts presented, however, do warrant a modification to the security requirement of Fed. R. Civ. P. 65(c), which I had previously set at a bond of \$25,000. I determined that an additional

¹Injunctive relief was initially granted by the Court in the form of a temporary restraining order on October 1, 2008.

\$25,000 in security was required to protect the defendants under these circumstances. Therefore, plaintiff shall furnish an additional bond in the amount of \$25,000 to the clerk of court on or before December 19, 2008.

SO ORDERED this 10th day of December, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge